

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, February 25, 2009 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Tess Nguyen, Kimberly De Coite (recording secretary)

MINUTES: March 26, 2008
January 14, 2009
January 28, 2009
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 2008-038 (ZANT BLOCK WALL EXTENSION)

APPLICANT: Tom Graham
PROPERTY OWNER: Will and Mary Zant, 19532 Summerbreeze Lane, Huntington Beach, CA 92648
REQUEST: To permit the construction of a 2 ft. extension to an existing perimeter block wall located along Goldenwest Street for a total height of up to 9 ft.-10 in. (combined 3 ft.-2 in. retaining wall plus 6 ft.-8 in. screen wall) in lieu of the maximum allowed height of 8 ft. for a perimeter blockwall.
LOCATION: 19532 Summerbreeze Lane, 92648 (east side of Summerbreeze Lane, north of Little Harbor Drive)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ms. Nguyen stated that no public comments had been received.

Mr. Ramos confirmed with staff that the wall is not owned by the city. Mr. Ramos confirmed with staff that there are existing walls on nearby properties that exceed the maximum height allowed by the zoning code without a Conditional Use Permit.

Mr. Ramos indicated that he viewed the site plans and photographs prior to the meeting.

THE PUBLIC HEARING WAS OPENED.

Tom Graham, applicant, stated that he had reviewed the findings and conditions of approval and had no objections. He noted that the adjacent neighbor has vines currently growing along the wall and indicated that he would like to use the same plant for the required landscaping. Mr. Ramos agreed to the request.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that, given the information provided, he could approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 2008-038 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of construction of a minor accessory structure on a property developed with a single family residence.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-038:

1. Conditional Use Permit No. 2008-038 to allow the construction of a 2 ft. extension to an existing perimeter block wall to a total height of up to 9 ft.-10 in. (combined 3 ft.-2 in. retaining wall plus 6 ft.-8 in. screen wall) in lieu of the maximum allowed height of 8 ft. for a perimeter blockwall will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood in that the wall is consistent with other block walls in the neighborhood. The project, as conditioned to provide landscaping material to obscure and soften the appearance of the wall, will not negatively impact the visual character of the neighborhood.
2. The conditional use permit will be compatible with surrounding uses because adjacent single family dwellings are developed with perimeter walls along the property lines at the same height or higher. Because of the slope of Goldenwest Street, some portions of all perimeter walls along the street are higher than the maximum allowed height of 8 ft. Therefore, the proposed wall extension is consistent with the perimeter walls along Goldenwest Street.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The HBZSO authorizes deviations from the fence height restrictions subject to approval of a Conditional Use Permit.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Residential Low Density on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. LU 9.2.1: Require that all new residential development within existing residential neighborhoods (i.e. infill) be compatible with existing structures, including the use of complimentary building materials, colors, and forms, while allowing flexibility for unique design solutions.
 - b. UD 1.3.5: Require that privately developed walls make a positive visual contribution to the public streetscape including provisions for plant material enhancements such as vine pockets or decorative plantings, and design features such as sculptured or textured masonry units.

The proposed wall will be consistent with other block walls in the neighborhood. The required landscaping material will obscure the appearance of the wall and at the same time soften the streetscape.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-038:

1. The site plan and elevations received and dated October 27, 2008 and December 1, 2008 shall be the conceptually approved design with the following exception: landscaping material shall be planted on the private property to hang over the wall.
2. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

THE MEETING WAS ADJOURNED AT 1:35 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, MARCH 11, 2009 AT 1:30 PM.

R. Ramos

Ricky Ramos
Zoning Administrator

RR:kdc